

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JOSEPH DOWNING,

Plaintiff,

v.

OSVALDO FUMO, et al.,

Defendants.

Case No. 2:23-cv-00419-ART-NJK

ORDER CLOSING CASE

This case involves claims by *pro se* Plaintiff Joseph Downing against criminal defense attorneys, a law firm, and firm staff members for legal malpractice and ineffective assistance of counsel. (ECF No. 11.) The Court previously determined that it lacks subject matter jurisdiction over these claims. (ECF No. 16.) Plaintiff has filed a motion indicating that he wishes to dismiss this case and requesting that the Court waive the filing fee because he is indigent. (ECF No. 17.) Defendants have not responded to Plaintiff's motion.

Finding good cause, the Court strikes its prior order granting Plaintiff's IFP application (ECF No. 7) and denies Plaintiff's IFP application as moot. As such, Plaintiff is not required to pay the filing fee.

The Clerk of Court is instructed to vacate the portion of the Court's April 20, 2023 order that grants Plaintiff's IFP application (ECF No. 7).

Plaintiff's third IFP application (ECF No. 6) is denied as moot.

The Clerk of Court is instructed to close this case and enter judgment accordingly.

DATED: November 26, 2024



ANNE R. TRAUM  
UNITED STATES DISTRICT JUDGE